REMARKS

Claims 1, 8-11, and 24-43 are pending in this application. Claims 1 and 8-11 are the independent claims. By this Amendment, claims 1, 8-11 and 24-43 are amended and claims 44-48 have been cancelled. By this Amendment, no claims are added or cancelled.

Claim Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 1, 8, 10, 24-25, 27, 29-30, 32, 34-35, 37, 39-40, 44-45 and 47 under 35 U.S.C. § 101 because the Examiner alleges that these claims are directed to nonstatutory subject matter. Without conceding to the Examiner's current position, Applicants have amended these claims to recite "optical disc" instead of "recording medium." As such, Applicants respectfully request that that this rejection be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1, 8-11 and 24-48 under 35 U.S.C. 103(a) as being unpatentable over Kim (U.S. Patent 6,754,435, hereinafter "Kim"), and further in view of "Digital Video Broadcasting (DVB) Subtitling System" (hereinafter "DVB Standard"), and further in view of Kato et al (U.S. Patent 7,236,687. hereinafter "Kato"), and further in view of Ishii et al (U.S. Patent 6,546,188, hereinafter "Ishii"). The Applicants respectfully traverse this rejection for the reasons detailed below.

Kim teaches that Video Object Units (VOBU) include navigation data (NV) and presentation data (Audio-Visual Data AV). For example, column 3, lines 52-67 of Kim state:

> The file data structure area stores a plurality of video object sets VOBS, each being made up of video objects VOB arranged in a time series, as shown in FIG. 4. Each VOB is made up of a plurality of cells, each containing playback sequence and playback control information. Each

cell has information concerning a sequence of a plurality of video object units (VOBU), arranged in a time series. A VOBU is a multiplexed set of the various kinds of data, each of the multiplexed pieces having a reproduction time between 0.4 and 1.0 seconds. A VOBU comprises navigation data and presentation data which includes video data, audio data, and sub-picture data. Pieces of such data within a VOBU are respectively called video packs, audio packs, and sub-picture packs, each of which is 2048 Bytes in size and is the same size as a logical sector on the DVD. It is possible that no sub-picture data is provided in a VOBU.

First, the VOBUs are not "graphic segments" within the meaning of claim 1. Rather, the VOBU file structure is completely different from the file structure recited in claim 1. Second, none of the features in Kim discloses or suggest "a first transport packet of each graphic segment including attribute information of a corresponding graphic segment" as required by claim 1.

In addition, the DVB standard fails to cure this deficiency. For example, on page 4 of the Office Action, the Examiner cites to a definition of a transport packet stream, which is reproduced below.

> **Transport packet stream**: A sub-set of the transport packets in a transport stream sharing a common Packet Identifier (PID). See, page 8 of the DVB standard.

First, the DVB standard does <u>not</u> illustrate a "<u>first</u> transport packet" of each graphic segment including attribute information of a corresponding graphic segment. In other words, the DVB standard does not state that a <u>first transport</u> among the "sub-set of the transport packets in a transport stream" include attribute information. Therefore, the DVB standard cannot possibly disclose or suggest "a first transport packet of each graphic segment including attribute information of a corresponding graphic segment" as required by claim 1.

Second, in contrast to the Examiner's assertions, the DVB standard does not disclose or suggest "the navigation information includes position information and time

stamps of the graphic images" as required by claim 1. For example, the Examiner alleges that the transport packets of claim 1 read on the transport packets of the DVB standard. Then, the Examiner relies upon a page composition segment (PCS) of Section 7.2.1 of the DVB standard as illustrating "position information." The PCS segment of the DVB standard is not related to the features of claim 1.

Also, the Examiner relies upon Ishii as disclosing "the graphic segment provide display effects for the graphic images, the display effects including at least one of fade effect and wipe effect" of claim 1. For instance, the Examiner cites to column 59, lines 50-54, which is reproduced below.

> Thus, in the course of arraying certain events in the program display area 30, selecting certain effects from the picture effects set-up area 25 and inserting them to the certain positions as described with reference to FIG. 14, effects can be applied to the events.

> Now, the picture effects set-up area 25 will be described with reference to FIG. 33. As shown in FIGS. 5, 6, and 33, the picture effects set-up area 25 has buttons 25a through 25m, buttons 25n-1 through 25n-10, and a button 25p. The buttons 25a through 25m are buttons operated when setting certain effects that have been prepared beforehand. In the present example, button 25a corresponds with the effect "Wipe", button 25b with "Mix", button 25c with "Mosaic", button 25d with "P-in-P" (Picture-in-Picture), button 25e with "Page Turn", button 25f with "DSK", button 25g with "Modify", button 25h with "Cut", button 25i with "Slide", button 25j with "Flip/Tumble", button 25k with "2-D", and button 25m with "3-D".

> Wipe is an effect which erases an old image as it were being wiped away, and inserting a new image instead. Mix is an effect which fades out an old image and fades in a new one. Mosaic is an effect which gives the image a mosaic look. Picture-in-Picture is an effect which displays a reduced image within another larger image. Page Turn is an effect which switches from an old image to a new image as if turning a page. DSK is an effect for inserting characters and shapes into an image which has already been subjected to effects.

Although Ishii discloses a wipe effect, the method of producing a wipe effect in Ishii is completely *different* than the features of claim 1. For example, the Examiner has not indicated how the wipe effect is produced in Ishii.

Therefore, Applicants submit that Ishii, Kim, and DVB standard, alone or in combination, does not come close to rendering the features of claim 1 obvious to one of ordinary skill in the art. Independent claims 8-11 include features similar to the above-recited features of claim 1, and therefore are patentable for at least the same reasons stated above. The pending dependent claims, dependent on claims 1 and 8-11, are patentable for at least the same reasons stated above. As such, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 8-11, and 24-48 in connection with the present application is earnestly solicited.
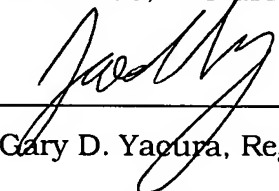
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By _____

Gary D. Yacura, Reg. No. 35,416

Jared B. Scholz, Reg. No. 64, 088

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/JBS:gew